

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

DORIS KNIGHTEN, )  
Plaintiff, ) No. CV-11-5078-JPH  
v. ) ORDER GRANTING STIPULATED  
MICHAEL J. ASTRUE, ) MOTION FOR REMAND  
Commissioner of Social )  
Security, )  
Defendant. )

BEFORE THE COURT is the parties' stipulated motion to remand this case to the Commissioner for further administrative proceedings, **ECF No. 21**. Thomas A. Bothwell represents plaintiff. Special Assistant United States Attorney M. Thayne Warner represents defendant. The parties have consented to proceed before a magistrate judge, ECF No. 7.

After considering the stipulated motion, ECF No. 21,  
**IT IS ORDERED** that the **motion is GRANTED**. The **case is REVERSED** and  
**REMANDED** pursuant to sentence four of 42 U.S.C. § 405(g) for  
further administrative proceedings, including:

1. Upon remand from the Appeals Council, the Commissioner is directed to assign this case to an administrative law judge (ALJ) to offer the claimant the opportunity for a supplemental hearing.

2. The ALJ will take any further action needed to complete the administrative record.

1       3. The ALJ will issue a new decision on the issue of  
2 disability based on the record as a whole, including the  
3 claimant's testimony and other evidence presented at the  
4 supplemental hearing.

5 Because this remand is pursuant to sentence four with a  
6 remand to the Commissioner for further proceedings (see *Melkonyan*  
7 *v. Sullivan*, 501 U.S. 89 (1991)), plaintiff is entitled to  
8 reasonable attorney's fees and costs pursuant to 28 U.S.C. § 2412  
9 (a), (d), upon proper request to this Court.

10 || IT IS FURTHER ORDERED:

11           1. The parties' stipulated motion for an order of remand  
12 pursuant to sentence four, ECF No. 21, is **GRANTED**.

13 ||| 2. Judgment shall be entered for **PLAINTIFF**.

14           3. An application for attorney fees and costs may be filed by  
15 separate motion.

16       4. The District Court Executive is directed to enter this  
17 Order, enter judgment, forward copies to counsel, and **CLOSE** the  
18 file.

19 IT IS SO ORDERED.

20 || **DATED** this 13th day of July, 2012.

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s/James P. Hutton  
JAMES P. HUTTON  
UNITED STATES MAGISTRATE JUDGE

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ORDER GRANTING STIPULATED MOTION  
FOR ORDER OF REMAND - 2